

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LAWERENCE W. HAMMARE,

Plaintiff,

vs.

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA, and T-
MOBILE USA, INC.,

Defendants.

CIVIL ACTION NO. 05-30155-MAP

**PLAINTIFF AND DEFENDANT
T-MOBILE USA, INC.'S ASSENTED TO
JOINT MOTION TO EXTEND THE
DEADLINE FOR FILING A POSSIBLE
OPPOSITION TO DEFENDANT
PRUDENTIAL INSURANCE COMPANY
OF AMERICA'S MOTION FOR
JUDGMENT ON THE PLEADINGS**

NOW COME Defendant, T-Mobile USA, Inc. and Plaintiff jointly, and with the assent of Defendant Prudential Insurance Company of America, move that the deadline for filing any potential opposition to the Defendant Prudential's for Judgment on the Pleadings be extended until October 17, 2005.

The extension is sought so that the parties have additional time to consider whether it is possible to resolve this matter without incurring the costs of preparing an Opposition and Memorandum. Granting this extension will not extend the remaining deadlines established by the court.

Respectfully Submitted,

Respectfully Submitted,

/s/ Judd L. Peskin, Esq.

Judd L. Peskin, Esq.
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Dated: September 29, 2005

/s/ Jay M. Presser, Esq.

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Dated: September 29, 2005

ASSENTED TO:

/s/ Edward P. O'Leary, Esq.
Edward P. O'Leary, Esq.
BBO #551932
Counsel for Prudential Insurance Company of America
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155 Federal Street
Boston, MA 02110
Tel.: (617) 695-2330/Fax: (617) 695-2335

Dated: September 29, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing *Plaintiff and Defendant T-Mobile USA, Inc.'s Assented to Joint Motion to Extend the Deadline for Filing a Possible Opposition to Defendant Prudential Insurance Company of America's Motion for Judgment on the Pleadings* was served upon the attorney of record for each other party via electronic filing and by first-class, U.S. mail, postage prepaid, on September 29, 2005.

/s/ Jay M. Presser, Esq.
Jay M. Presser, Esq.